UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE	CHAPTER 13
JUDITH ANNE CRAWFORD	CASE NO. 07-36853
	JUDGE: Cecelia G. Morris
DEBTOR	

AFFIRMATION IN RESPONSE TO ORDER TO SHOW CAUSE

John A. DiCaro, Esq., an attorney admitted to practice in this Court, affirms the following under penalty of perjury:

1. I am a member of the firm of Shapiro & DiCaro, LLP, attorneys for Ocwen Loan Servicing, LLC ("Ocwen") and am familiar with the facts and circumstances underlying this matter.

2. Ocwen is the servicing agent for HSBC Bank, USA, as Trustee, which holds a mortgage on the Debtor's real property known as 173 Andrews Road, Lagrangeville, NY 12540 (the "Property")

3. This Affirmation is submitted in response to the Court's Order to Show Cause dated January 10, 2008 with respect to the foreclosure sale of the Property held on November 27, 2007.

4. Martin Crawford has filed with the Court copies of a letter allegedly sent to our office and to the Referee, Frank M. Mora, prior to the foreclosure sale advising of Judith Crawford bankruptcy filing. Our office did not receive notice of the Debtor's Chapter 13 bankruptcy filing prior to the sale which was scheduled for November 27, 2007. It is evident from Debtor's submissions that the notice was sent to Shapiro & DiCaro at a fax number of

(845) 454-4492. That is not the fax number of our law office; our fax number is (585) 247-7380.

5. Mr. Mora did not contact our office prior to the foreclosure sale to advise us of the Debtor's bankruptcy filing. Our records reflect that we did not learn of the Debtor's Chapter 13 bankruptcy filing under November 29, 2007 which was two days after the sale. We immediately advised our client that the sale was invalid and put our foreclosure file on hold due to the pending bankruptcy filing.

6. If we had been aware of Judith Crawford's bankruptcy filing on November 26, 2007, we would have cancelled the foreclosure sale scheduled for November 27, 2007 as is our normal practice.

7. It is also our understanding that Mr. Mora announced the fact that a bankruptcy filing had been made prior to conducting the sale.

8. It is clear that the foreclosure sale conducted herein was void due to the existence of the stay. It is further respectfully submitted that Debtor has suffered no prejudice or damage as a result of the foreclosure sale held on November 27, 2008 given that an announcement of the bankruptcy was made at the sale, the lender was the only bidder and the foreclosure action was immediately placed on hold

WHEREFORE, the undersigned respectfully requests an Order of this Court finding that HSBC is not liable for damages to Debtor, and such other and further relief as may be just and proper.

Dated: January 31, 2008

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